

Frequently Asked Questions - Electronic Filing of Proof of Claim

Updated: 03/24/2011

1. Can I file an electronic proof of claim in any chapter case?

Yes. The North Carolina Middle District Bankruptcy Court began accepting electronic claims in all cases, including Chapter 13 cases, effective July 1, 2008.

2. Do I need to attach the B10 claim form as an attachment?

No. The fillable form will create the B10 form. Any attachments should consist of supporting documentation to the Proof of Claim.

3. Is a signature required on the Proof of Claim?

Yes. Type the name and title, if any, of the person authorized to file the claim on behalf of the creditor. A copy of the power of attorney, if any, should be attached to the claim..

4. Can I include a separate mailing address for payments?

Yes. Check the box indicating that the Payment Address is different from the Notice Address. An additional address field will appear for this alternate address for payments.

5. Can I get a stamp-filed acknowledgment of the Proof of Claim?

Yes. The Court's claim number will display with a link to the electronically file-stamped proof of claim upon submitting the proof of claim. The claim will be file stamped as of the entry date. It is recommended that the claim be printed or saved at this time.

6. I am a creditor's attorney and will be filing a claim on behalf of my client. How do I record the creditor address and my address as attorney?

When filing the claim, there is a drop-down box on the first screen which allows you, the filer, to select who is submitting the claim. The options are: Creditor; Creditor's Attorney; Debtor; Debtor's Attorney; or Trustee. If the attorney is the filer, you will be able to add the attorney name and address and select the creditor's name from the listing of creditors in the case or if the creditor is not listed or listed incorrectly, you are able to

add the correct creditor. Both names and addresses will be added to the mailing matrix and displayed on the Proof of Claim and Claims Register.

7. I filed a claim and my attachments did not properly attach to the claim filed. How do I get the supporting documentation filed?

- a) Ensure that the attachment(s) is in PDF format and is being submitted in black and white (no color documents).
- b) Confirm that each PDF document being attached is less than 2 MB in size.
- c) File an amended claim and attach the correct PDF images.
- d) When filing the amended claim, check the box on the form that designates that the claim is amended. Select the claim number of the claim to be amended.
- e) Attachments must be added by the process above. Amendments cannot be faxed or mailed to the Trustee's office unless specifically requested by the Trustee.

8. When will the claim appear on the claims register?

The claim will immediately appear on the claims register upon submitting the proof of claim.

9. Will the Trustee be served with the Proof of Claim?

Yes. The Trustee will receive notification of the claim filed. You do not need to file a separate paper claim with the Trustee's office.

10. I need to amend a claim. How do I do this?

When completing the fillable claim form, check the box (above Item 1. on the form) to indicate that the claim amends a previously filed claim. You can then enter the Court claim number and/or date of the previous claim.

11. I need to amend a claim that was originally filed with the Chapter 13 Trustee's office. When I check the box on the form to indicate the amendment, the claim number assigned to the original claim by the Trustee's office does not appear in the box. What do I do?

All Chapter 13 claims filed before July 1, 2008, are on record in the Chapter 13 Trustee's office but are not recorded on the Court's claims registers. If you know the date your original claim was filed with the Trustee's office, you may enter that information. If not, simply check the box to indicate the amendment. A new claim number will be assigned and the claims register will indicate that the claim is an amendment. The Trustee's office will be able to reconcile the amendment with the claim on file in that office.

12. How will I know the treatment of my claim by the Chapter 13 Trustee?

Check the website of the Chapter 13 Trustee assigned to the case or contact the Chapter 13 Trustee's office. To access the Chapter 13 Trustee websites, go to: www.13network.com and select the Trustee office assigned to the case. The Trustees are listed by state. Access to the individual websites requires a login and password. There are instructions on each office's home page regarding web access. For the Middle District of North Carolina, you are able to access the three Trustee offices (Durham, Greensboro, Winston-Salem) using one login and password. The data available on the Trustee's website is current as of the previous day.

13. If my claim has been paid, should I file a Withdrawal of Claim?

No. A withdrawal of claim is typically filed when the claim was filed in error and there are no funds due the creditor from the estate. If you file a withdrawal of claim in a case where you have received distributions from the Trustee, the Trustee's office will contact you regarding a refund of those funds.

14. At the time of filing my claim, I do not know the amount that is due. How do I enter "Unknown" in the amount for the claim?

In the amount box, enter: 00.00. Attach documentation to the claim explaining the reason that the 00.00 was entered. Once you know the amount of the claim, file an amended claim.

Helpful Tips

- Verify the debtor(s) name and case number prior to submitting the Proof of Claim. The fillable form will display the case number and Debtor's name at the top of the form. If you have entered the incorrect case number, simply use the 'Back' button to return to the first screen to enter the correct case number.

- If you are a creditor's attorney filing the claim, be sure to indicate the appropriate payment address for the creditor. If a separate payment address is not entered, any funds will be sent to the **creditor** at the address shown on the claim form.
- If you are amending a claim for any reason, be sure to check the 'Amends' box on the claim form.
- Verify the amounts entered in Items 1, 4 & 5. The total amount claimed is required in Item 1. **Do not use commas when entering an amount in any of the boxes in Items 1, 4 & 5.**
- If there is supporting documentation for your claim, select 'Yes' at the bottom of the form (before the signature line). After clicking on 'Submit Claim', you will be able to attach your documentation.
- If you are entering zero for the amount owed because the amount is unknown at the time of filing the claim, be sure to use the 4 digits 00.00. The form will not accept any other combination. Attach the appropriate documentation to your claim to explain the zero amount.
- If there is insufficient space in the blocks provided on the fillable claim form to enter information you wish to provide regarding the basis of your claim, please attach that information as supporting documentation.
- Print or save the completed Proof of Claim. Option to view/print is displayed on screen after the submission of claim. This screen also displays the claim number assigned to your claim.